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June 9, 2022

Hon. Ellen L. Hollander
U.S. District Court
101 W. Lombard Street
Baltimore, MD 21201

Re: United States v. Keyon Paylor
Criminal Case No. ELH-14-271

Dear Judge Hollander:

Thank you for sharing the brief letter that Mr. Paylor wrote to the Court, stating that he would “like to be brought to answer to the charges of [a] detainer ...” Mr. Paylor completed a financial affidavit, and today Judge Copperthite appointed our office to represent Mr. Paylor and I entered my notice of appearance.

Since receiving Mr. Paylor’s letter from the Court, I have spoken with Mr. Paylor and consulted with his civil attorneys from Loevy & Loevy. We are all in agreement that we would prefer not to resolve Mr. Paylor’s pending violation of supervised release petition before the Fourth Circuit issues an opinion in *Paylor v. United States*, his appeal of the Court’s denial of his 28 U.S.C. § 2255 petition to vacate the conviction that imposed the period of supervised release. The Fourth Circuit heard oral argument on March 12, 2021, thus an opinion could come any day.

However, we do ask the Court to recall the arrest warrant and detainer issued on August 21, 2019, after the U.S. Probation Office filed a violation petition the day before, ECF No. 149. The detainer has heightened Mr. Paylor’s security classification within the Maryland Department of Corrections, resulting in his detention at the Eastern Correctional Institution in Somerset County on the Eastern Shore of Maryland, hours away from Baltimore and his family, including his namesake son who was born after his arrest. Mr. Paylor would be eligible to transfer to a lower-security facility closer to Baltimore and engage in more productive programming if the detainer were lifted.

Therefore, Mr. Paylor asks the Court to recall the warrant and detainer and to direct Mr. Paylor to contact his probation officer as soon as he is released from custody. Mr. Paylor has served approximately 34 months of a 72-month state sentence. He was recently denied parole. Whenever Mr. Paylor is released, he will contact his probation officer and the Court can issue a summons for him to appear on the violation. Alternatively, if the § 2255 is resolved prior to Mr. Paylor’s completion of his state sentence, the Court can writ him into federal custody for a hearing.

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If the Court would prefer a more formal motion and proposed order, I am happy to provide one.

Respectfully,

/s/

Katherine Tang Newberger

First Assistant Federal Public Defender

cc: Peter Martinez, Assistant United States Attorney
Bruce James, U.S. Probation Officer
Renee Spence, Esq., Loevy & Loevy